

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Revision Petition filed by Smt. Pushpalatha, Sarpanch (U/s), Gangadhara Village and Mandal, Karimnagar District– Against the proceedings of the District Collector (PW), Karimnagar District – Appeal Petition - Allowed – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O. Rt. No. 255

Date: 21- 02-2011.
Read the following:

1. From the Dist. Collector, Karimnagar Dist., Procds. No.A6/2051/2009-Pts, Dated 2-04-2010.
2. Appeal petition received from Smt. P.Pushpalatha, Sarpanch, Gangadhara Village and Mandal of Karimnagar District, dt. 22-4-2010.
3. Govt.Memo.No.9407/Pts.II/A1/2010-1, Dt.23.4.2010.
4. From the Dist. Collr., (PW), Karimnagar, Lr.No.A6/2051/2009-Pts, dt.6.8.2010.
5. From the Asst. Registrar, A.P.H.C., Hyd., W.P.No.21655 of 2010 and W.P.M.P.No.27551 of 2010, Dt.6.9.2010.

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ORDER:

In the reference 1st read above, the District Collector (PW), Karimnagar District has suspended Smt.P. Pushpalatha from the Post of Sarpanch of Gangadhara Gram Panchayat and Mandal of Karimnagar District U/s 249(6) of Andhra Pradesh Panchayat Raj Act, 1994 for misuse of Gram Panchayat Funds and powers.

2. Aggrieved by the said orders, in the reference 2nd read above, Smt.P. Pushpalatha, Sarpanch (U/s), Gangadhara Gram Panchayat and Mandal, Karimnagar District has filed an Appeal Petition before Government and requested to suspended the proceedings of the District Collector(PW), dated 2-04-2010.

3. In the reference 3rd read above, Government while granting stay against the Proceedings of District Collector (PW), Karimnagar has requested to furnish his report for taking further action.

4. In the reference 4th read above, the District Collector (PW), Karimnagar has reported that on receipt of the Complaint Petition against the Sarpanch of Gram Panchayat Gangadhara & Mandal regarding misappropriation of funds, the DLPO, Karimnagar has conducted enquiry and submitted a report that the Sarpanch, G.P. Gangadhara (M) has drawn the amounts of the totals comes to Rs.7,31,000/- from the Gram Panchayat and BRGF Funds with the joint signature of the Panchayat Secretary without having proper records. Further stated that the Sarpanch of Gangadhara Gram Panchayat has given building permission for which she was not competent and requested to take suitable action against the Sarpanch for the lapses noticed.

5. Based on the report a show cause notice was issued to the Sarpanch calling her explanation. The Sarpanch, G.P. Gangadhara inspite of submission of reply, she has also filed a representation along with the MBs for the work of laying of pipe line which recorded for an amount of Rs.1,50,000/- and further stated that for the remaining amount of Rs.5,81,000/- the works were executed and completed. But not recorded in the MBs by the Engineering authorities in time due to commencement of election code. As such she requested to examine the works physically by granting some more time to submit her explanation to the show cause notice issued U/s. 249(6), APPR Act, 1994.

6. The Collector (PW), Karimnagar District has stated that considering the request of the Sarpanch, the District Panchayat Officer, along with the AE(PR), AE(RWS), EO(PR&RD), Gangadhara and Divisional Panchayat Officer, Karimnagar have verified the works physically which mentioned in the representation of the Sarpanch and also instructions issued to the Executive Engineers (PR) and (RWS) concerned to verify the above said works and recording the measurements in the MBs. Accordingly, the

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Engineering Authorities have recorded the works taken up by the Sarpanch for which he was already drawn the amounts as advance. Afterwards, the Sarpanch, G.P. Gangadhara has submitted her explanation to the show-cause notice issued U/s.249(6), APPR Act, 1994 along with the copies of the MBs for the advances drawn by her. The Divisional Panchayat Officer, Karimnagar has submitted his verification report stating that the records were produced by the Sarpanch suffice to the amounts drawn by her as advance. Though the Sarpanch adjusted the amounts drawn as advances on works, certain lapses were observed on part of the Sarpanch and requested to take action accordingly. Hence, orders have been issued placing Smt.P. Pushpalatha, Sarpanch, G.P.Gangadhara of Gangadhara Mandal under suspension in terms of Section 249(6) of APPR Act, 1994 for misuse of funds and powers vested in her.

7. The case was heard on 17-01-2011. The Sarpanch and the District Panchayat Officer, Karimnagar District were attended the hearing. The District Panchayat Officer has instructed to get the spot inspection on the works done and send a report by adjourning the case.

8. In the reference 5th read above the Hon'ble High Court has directed to Government to dispose the appeal Petition filed by the Appellant within one month.

9. The case was again heard on 14.2.2011. The Sarpanch and District Panchayat Officer have attended the hearing. During the hearing it has observed that the Sarpanch has executed the developmental works and recorded the M.B.books etc., Even though she had committed certain procedural lapses, actually the works were executed as per the report of the concerned District Panchayat Officer, Karimnagar District.

10. Government after careful examination of the matter and material available in the records and taking a lenient view since she is uneducated and innocent woman, hereby allowed the Appeal Petition filed by Smt P. Pushpalatha, Sarpanch, G.P. Gangadhara and Mandal of Karimnagar District by directing to the District Collector that the Penal interest shall be collected from the Sarpanch.

11. The District Collector (PW), Karimnagar District shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. RAJIV SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The District Collector (PW), Karimnagar District.

The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.

The District Panchayat Officer, Karimnagar District.

Copy to:

Smt.P. Pushpalatha, Sarpanch, Gangadhara Gram Panchayat of

Gangadhara Mandal, Karimnagar District.

The Government Pleader for (PR&RD), High Court of A.P. Hyderabad.

P.S. to M(PR)

The P.S to Prl. Secy.

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER